

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

2014 JAN 21 P 4:12

JON A. SANFILIPPO  
CLERK

Dafina A. Roter Velyov  
26151 S. Windlake Rd  
Windlake WI 53185

(Full Name of Plaintiff or Plaintiffs)

vs

Case No. **14-C-0071**  
(Supplied by Clerk)

Frontier Airlines / Republic  
Frontier Center One  
Fool Tower Rd  
Denver CO 80249

(Full Name of Defendant or Defendants)

COMPLAINT

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?  
☒ YES ☒ NO *DR*
- B. Have you begun other lawsuits in state or federal court?  
☐ YES ☒ NO
- C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

1. Parties to the previous lawsuit

Plaintiff(s) *Dafina Roter*  
*26151 S. Windlake Rd Windlake WI 53185*  
Defendant(s) *Frontier Airlines / Republic Holdings*

2. Court in which lawsuit brought (if federal court, name district; if state court, name the county)

3. Docket number EEOC Charge # 2LG-2012-0173
4. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending)? They want (the EEOC) to throw it out / Close case
5. Approximate date of filing lawsuit 11/1/11 \* 4/24/12 \* 5/31/12 \* 6/19/12 \* 7/1/12 and 12/10/12
6. Approximate date of disposition \_\_\_\_\_

## II. PARTIES

- A. Your name (PLAINTIFF) Dafina A. Roter Velkov
- B. Your Address and Phone Number 414 241-6674  
26151 S. Windlake Rd Windlake Wl 53185  
(If there is more than one plaintiff, use the margin for extra space if you need it. List the address only if it is different from the address listed above).
- C. DEFENDANT (name) Frontier Airlines / Republic Holdings
- D. Defendants address Frontier Center One  
7001 Tower Rd Denver, CO 80249
- E. Additional DEFENDANTS (names and addresses) \_\_\_\_\_

## III. STATEMENT OF CLAIM (follow instructions carefully)

State briefly as possible the *essential facts* of your case. Tell what each defendant did to you that caused you to file this suit against them. If you are complaining about more than one wrong, use a separate **numbered** paragraph for each wrong, and describe each wrong in that paragraph and only that paragraph. State only the facts. *Do not give any legal theories or arguments, do not cite any cases or statutes. Do not feel you have to use all the space. USE NO MORE THAN THE SPACE PROVIDED. THE COURT STRONGLY DISAPPROVES OF STATING CLAIMS OUTSIDE THE SPACE PROVIDED.*

Begin statement of claim:

I am pursuing the claim against  
Frontier Airlines for three reasons ~~under~~<sup>PR</sup>

- ① Family and Medical Leave Complaint
- ② Equal Rights
- ③ Discrimination Complaint under WI Fair Employment Law

and have got nowhere with the State and  
not retaining a lawyer due to income and severe  
health issues.

Frontier Airlines interfered with my right to  
take leave, harassed + retaliated against  
me when I was out ill. They violated (Beth Nacker)  
Manager of Operations Trainer, HIPPA LAWS - making  
me send copies of my kidney transplant letter to  
all Managers + Supervisors in the Milwaukee Station  
+ Denver Hq - who were the only ones to view it by law.

When returning to work after leave for kidney  
failure and blood transfusions in the hospital  
I was put on a work restriction as of 2/19/10  
due to my high BP due to the kidney failure + our  
high stress jobs of 20 hrs a week 4-5 hours shifts only  
Beth Nacker claimed she could only give me 3 days  
a week at 4 to 4.5 hrs - which was only 13 hrs a week

**STATEMENT OF CLAIM-Continued**

Financially, I could not support myself + my 2 daughters on that - she said my only other option was Friday - 8 hour day or NOTHING, my dr restriction didn't matter to her + I needed the \$. I worked these 8hrs Friday under restriction + recovery from 2-19-10 until August of 2011 when terminated.

Since I returned that day, had restrictions and was out on + off for being sick, my manager Beth Nacker started to interfere and retaliate against me.

I was a original Midwest Airlines Employee since 9/8/03, single mother of 2 girls. I started as a ticket counter agent with no experience, moved up to a Lead/Fill in Supervisor position a year later, became a Ground Security Coordinator, a fill in for the Operations Tower, then went up to strictly the Operations Tower as a part time agent. I had FMLA approved in 2008 and was out for kidney issues. January 28, 2010 - I was in a bad car accident in Kentucky made my kidney function drop down to 14%, blood transfusions etc. I applied again for FMLA on 2/18/10 - was denied. Frontier claimed I only had 1106.75 hours. DR<sup>re</sup> I was told by my Manager to work more. I applied again on 7/23/10 and was approved starting July 2010.



STATEMENT OF CLAIM-Continued

from Barbie Butler - Leave of Absence Asst then  
on 8/19/10 - I received a email from  
Eric W. Kartchner - LOA Coordinator stating  
that I DID NOT qualify for FMLA because my  
hire date was 12/1/2009. I began Employment  
on 9/3/03 - 7 years Employed with them, even  
through all of the transitions of owners. I went home,  
calculated my hours and on 9/4/10 - I  
Challenged my hours + length of employment. On  
9/7/10 - I received a apology + FMLA approval  
from HR stating I had a calc of 1119 hours -  
which was still wrong if I had 1106.75 in Feb 2010.

With FMLA approved, I was harassed while out  
on leave, Beth + Jason calling for certifications  
to be done, calling several times in a row while  
I was at Appts or resting, writing me up for  
attendance when it should of went under my FMLA hrs  
I was terminated through the mail while out on FMLA  
\* see attached termination papers, phone records, Dr Excuses  
and HR approval.

In June July + August of 2011 the HVAC System in  
our Operations Tower kept going down - temperature at  
work (in our box) would drop from 75° to 52° in 30 min  
\* see attached Equal Rights Complaint Process Info Sheet dated 5/31/12

END STATEMENT OF CLAIM

Revised 05/2013

#### IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

Find Frontier Airlines guilty of interfering with my right to take leave, interfere and retaliate against me. Money compensation since there are no longer employment in USA for Frontier Airlines

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 21<sup>st</sup> day of January, 2014  
Dafina A. Peter Velyver

(Signature of Plaintiff(s))